

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

NEW YORK STATE RIFLE AND PISTOL
ASSOCIATION, INC.; WESTCHESTER
COUNTY FIREARMS OWNERS
ASSOCIATION, INC.; SPORTSMEN'S
ASSOCIATION FOR FIREARMS EDUCATION,
INC.; NEW YORK STATE AMATEUR
TRAPSHOOTING ASSOCIATION, INC.;
BEDELL CUSTOM; BEIKIRCH AMMUNITION
CORPORATION; BLUELINE TACTICAL &
POLICE SUPPLY, LLC; BATAVIA MARINE &
SPORTING SUPPLY; WILLIAM NOJAY,
THOMAS GALVIN, and ROGER HORVATH,

Plaintiffs,

-v.-

ANDREW M. CUOMO, Governor of the State of
New York; ERIC T. SCHNEIDERMAN, Attorney
General of the State of New York; JOSEPH A.
D'AMICO, Superintendent of the New York State
Police; LAWRENCE FRIEDMAN, District
Attorney for Genesee County; and GERALD J.
GILL, Chief of Police for the Town of Lancaster,
New York,

Defendants.

13-cv-00291-WMS

SUPPLEMENTAL DECLARATION OF WILLIAM J. TAYLOR, JR.

WILLIAM J. TAYLOR, JR., an attorney duly admitted to practice before this Court,
declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an Assistant Attorney General in the office of ERIC T. SCHNEIDERMAN,
Attorney General of the State of New York, attorney for defendants Andrew M. Cuomo,
Governor of the State of New York; Eric T. Schneiderman, Attorney General of the State of New

York; and Joseph A. D'Amico, Superintendent of the New York State Police (collectively, the "State Defendants") in the above-captioned action.

2. I submit this supplemental declaration in further support of the State Defendants' Cross-Motion to Dismiss and/or for Summary Judgment and in Opposition to the Plaintiffs' Cross-Motion for Summary Judgment, for the limited purpose of providing the Court with true and accurate copies of the following documents contained in the annexed Appendix, and referenced in the accompanying (i) Reply Memorandum of Law in Further Support of the State Defendants' Cross-Motion to Dismiss and/or for Summary Judgment and in Opposition to Plaintiffs' Cross-Motion for Summary Judgment, dated September 24, 2013; and, (ii) State Defendants' Response to the Plaintiffs' Local Civil Rule 56(a)(2) Counter-Statement:

Exhibit	Exhibit Description
71	Memorandum of Decision, <i>Benjamin v. Bailey</i> , CV 93-0063723 (Conn. Super. Ct. June 30, 1994).
72	Printouts of information from the U.S. Centers for Disease Control regarding: <ul style="list-style-type: none"> • <i>2000-2010 United States Violence-Related Firearm Deaths and Rates per 100,000</i>, obtained from the National Center for Injury Prevention & Control, U.S. Centers for Disease Control and Prevention, <i>Web-Based Injury Statistics Query & Reporting System (WISQARS) Injury Mortality Reports, 1999-2010, for National, Regional, and States</i>, available at http://webappa.cdc.gov/sasweb/ncipc/dataRestriction_inj.html (visited Sept. 24, 2013).
73	Appellants' Notice of Supplemental Authority under Fed. R. App. P. 28(j), <i>Kwong v. Bloomberg</i> , No. 12-1578 (2d Cir.), dated Jan. 17, 2013.
74	Aaron Smith, <i>New Rifle Mimics Machine Gun's Rapid Fire – and It's Legal</i> , CNNMoney.com, Sept. 12, 2013, available at http://finance.yahoo.com/news/new-rifle-mimics-machine-gun-s-rapid-fire---and-it-s-legal-145153186.html# .
75	New York Pattern Criminal Jury Instructions 2d, Penal Law § 265.02(7), Criminal Possession of a Weapon Third Degree, Possession of Assault Weapon, available at http://www.nycourts.gov/judges/cji/2-PenalLaw/265/265-02%287%29.pdf .

I declare under penalty of perjury under the laws of the United States that the foregoing is
true and correct

Dated: New York, New York
September 24, 2013

/s/ William J. Taylor, Jr.
William J. Taylor, Jr.